

Senate Study Bill 3141

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5016XG 82
5 jm/mg/8

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1 1 Section 1. JUDICIAL BRANCH.
1 2 1. There is appropriated from the general fund of the
1 3 state to the judicial branch for the fiscal year beginning
1 4 July 1, 2008, and ending June 30, 2009, the following amount,
1 5 or so much thereof as is necessary, to be used for the
1 6 purposes designated:
1 7 For salaries of supreme court justices, appellate court
1 8 judges, district court judges, district associate judges,
1 9 judicial magistrates and staff, state court administrator,
1 10 clerk of the supreme court, district court administrators,
1 11 clerks of the district court, juvenile court officers, board
1 12 of law examiners and board of examiners of shorthand reporters
1 13 and judicial qualifications commission; receipt and
1 14 disbursement of child support payments; reimbursement of the
1 15 auditor of state for expenses incurred in completing audits of
1 16 the offices of the clerks of the district court during the
1 17 fiscal year beginning July 1, 2008; and maintenance,
1 18 equipment, and miscellaneous purposes:
1 19 \$150,260,170
1 20 2. The judicial branch, except for purposes of internal
1 21 processing, shall use the current state budget system, the
1 22 state payroll system, and the Iowa finance and accounting
1 23 system in administration of programs and payments for
1 24 services, and shall not duplicate the state payroll,
1 25 accounting, and budgeting systems.
1 26 3. The judicial branch shall submit monthly financial
1 27 statements to the legislative services agency and the
1 28 department of management containing all appropriated accounts
1 29 in the same manner as provided in the monthly financial status
1 30 reports and personal services usage reports of the department
1 31 of administrative services. The monthly financial statements
1 32 shall include a comparison of the dollars and percentage spent
1 33 of budgeted versus actual revenues and expenditures on a
1 34 cumulative basis for full-time equivalent positions and
1 35 dollars.
2 1 4. The judicial branch shall focus efforts upon the
2 2 collection of delinquent fines, penalties, court costs, fees,
2 3 surcharges, or similar amounts.
2 4 5. It is the intent of the general assembly that the
2 5 offices of the clerks of the district court operate in all 99
2 6 counties and be accessible to the public as much as is
2 7 reasonably possible in order to address the relative needs of
2 8 the citizens of each county.
2 9 6. The judicial branch shall continue studying the best
2 10 practices and efficiencies of each judicial district. In
2 11 identifying the most efficient judicial districts and the
2 12 districts using best practices, the judicial branch shall
2 13 consider the average cost to the judicial branch for
2 14 processing each classification of criminal offense or civil
2 15 action and the overall number of cases filed. In addition,
2 16 and as part of the best practices and efficiencies study, the
2 17 judicial branch shall study the number of judicial officers
2 18 needed throughout the state to manage current caseloads and
2 19 anticipated caseloads in the future, and shall make

2 20 recommendations, if any, as to changes in judgeship and
2 21 magistrate apportionment formulas in sections 602.6201,
2 22 602.6301, and 602.6401. The judicial branch shall file a
2 23 report regarding the study made, recommendations presented,
2 24 and actions taken pursuant to this subsection with the
2 25 co-chairpersons and ranking members of the joint
2 26 appropriations subcommittee on the justice system and to the
2 27 legislative services agency by January 1, 2009.

2 28 7. In addition to the requirements for transfers under
2 29 section 8.39, the judicial branch shall not change the
2 30 appropriations from the amounts appropriated to the judicial
2 31 branch in this Act, unless notice of the revisions is given
2 32 prior to their effective date to the legislative services
2 33 agency. The notice shall include information on the branch's
2 34 rationale for making the changes and details concerning the
2 35 workload and performance measures upon which the changes are
3 1 based.

3 2 8. The judicial branch shall submit a semiannual update to
3 3 the legislative services agency and the department of
3 4 management specifying the amounts of fines, surcharges, and
3 5 court costs collected using the Iowa court information system
3 6 since the last report. The judicial branch shall continue to
3 7 facilitate the sharing of vital sentencing and other
3 8 information with other state departments and governmental
3 9 agencies involved in the criminal justice system through the
3 10 Iowa court information system.

3 11 9. The judicial branch shall provide a report to the
3 12 general assembly by January 1, 2009, concerning the amounts
3 13 received and expended from the enhanced court collections fund
3 14 created in section 602.1304 and the court technology and
3 15 modernization fund created in section 602.8108, subsection 7,
3 16 during the fiscal year beginning July 1, 2007, and ending June
3 17 30, 2008, and the plans for expenditures from each fund during
3 18 the fiscal year beginning July 1, 2008, and ending June 30,
3 19 2009. A copy of the report shall be provided to the
3 20 legislative services agency and the department of management.

3 21 Sec. 2. JUDICIAL RETIREMENT FUND.

3 22 There is appropriated from the general fund of the state to
3 23 the judicial retirement fund for the fiscal year beginning
3 24 July 1, 2008, and ending June 30, 2009, the following amount,
3 25 or so much thereof as is necessary, to be used for the purpose
3 26 designated:

3 27 Notwithstanding section 602.9104, for the state's
3 28 contribution to the judicial retirement fund in the amount of
3 29 30.6 percent of the basic salaries of the judges covered under
3 30 chapter 602, article 9:
3 31 \$ 7,625,626

3 32 Sec. 3. Section 602.1301, subsection 2, paragraph b, Code
3 33 2007, is amended to read as follows:

3 34 b. Before December 1, the supreme court shall submit to
3 35 the director of management an estimate of the total
4 1 expenditure requirements of the judicial branch. ~~The director~~
4 2 ~~of management shall submit this estimate received from the~~
4 3 ~~supreme court to the governor for inclusion without change in~~
4 4 ~~the governor's proposed budget for the succeeding fiscal year.~~
4 5 The estimate shall also be submitted to the chairpersons of
4 6 the committees on appropriations.

4 7 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
4 8 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
4 9 required to be provided by the judicial branch for fiscal year
4 10 2008=2009 to the legislative services agency shall be provided
4 11 in an electronic format. The legislative services agency
4 12 shall post the reports on its internet website and shall
4 13 notify by electronic means all the members of the joint
4 14 appropriations subcommittee on the justice system when a
4 15 report is posted. Upon request, copies of the reports may be
4 16 mailed to members of the joint appropriations subcommittee on
4 17 the justice system.

4 18 EXPLANATION

4 19 This bill makes appropriations for FY 2008=2009 to the
4 20 judicial branch.

4 21 The bill makes an appropriation to the judicial retirement
4 22 fund in the amount 30.6 percent of the judicial salaries.
4 23 Current law under Code section 602.9104 requires a
4 24 contribution of 23.7 percent of the judicial salaries.

4 25 The bill strikes a provision requiring the director of the
4 26 department of management to submit the appropriation request
4 27 of the judicial branch to the governor for inclusion without
4 28 change in the governor's proposed budget.

4 29 LSB 5016XG 82

4 30 jm/mg/8.1

